

**Notice of Allowability**

Application No.

10/075,112

Examiner

Pramila Parthasarathy

Applicant(s)

BERAN, DAVID

Art Unit

2136

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/8/2007.
2. ☐ The allowed claim(s) is/are 1-12,27-31,33-51 and 53-55.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other \_\_\_\_\_

NASSER MOAZZAMI  
SUPERVISORY PATENT EXAMINER  
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6119,07

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to Claims 1 – 12, 27 – 51 and 53 – 55 have been fully considered and in view of Applicant's agreement with Examiner's proposed amendments with Claims 1 – 12, 27 – 31, 33 – 51 and 53 – 55 are persuasive.

### ***Allowable Subject Matter***

2. Claims 1 – 12, 27 – 31, 33 – 51 and 53 – 55 are allowed.

3. The following is an examiner's statement of reasons for allowance: The Admitted prior art [McKenna et al. U.S. Publication Number 2003/0005449], discloses "An entertainment content is delivered in an encrypted digital format from a home base via satellite to individual logging properties (sites) having an in-room entertainment system. Each digital file containing content (such as a movie) is accompanied by a sites file which identifies the name of the content file and the sites to which the content file is being transmitted. Each site includes a host computer, a digital content receiver, a digital content server guest terminals in the guest rooms, and a distribution network for distributing content from the digital content server to the guest terminals. The digital content receiver receives the transmitted digital content and sites files, and provides the files to the digital content server for storage and later use".

However, the admitted prior arts do not disclose, teach or suggest "transmitting said encrypted audiovisual data corresponding to said request to a satellite for receipt

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by the user with a satellite dish, said transmitting occurring in accordance with said transmission schedule, wherein the user has a set-top box coupled to said network, and the satellite dish coupled to the set-top box, wherein the set-top box contains a storage device".

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John P. Schaub, registration number 42,125, on May 07, 2007.

IN THE CLAIMS:

1. (Amended) A method for delivery of audiovisual data to a user, including:
  - receiving a request for audiovisual data from the user via a network, said audiovisual data corresponding to said request having a title;
  - determining if said title is already in a transmission schedule;
  - adding said title to said transmission schedule if it is not already in said transmission schedule;
  - encrypting said audiovisual data corresponding to said request using an encryption algorithm, said encryption algorithm having a corresponding decryption algorithm;
  - generating a decryption key unique to the user using said corresponding decryption algorithm;
  - forwarding said decryption key to the user via said network; and
  - transmitting said encrypted audiovisual data corresponding to said request to a satellite for receipt by the user with a satellite dish, said transmitting occurring in accordance with said transmission schedule, wherein the user has a set-top box coupled to said network, and the satellite dish coupled to the set-top box, wherein the set-top box contains a storage device.
6. (Amended) ~~The method of Claim 1, wherein the user has a set-top box coupled to said network, and a satellite dish coupled to the set-top box, wherein the set-top box contains a storage device, and wherein the method further includes:~~

receiving the encrypted audiovisual data corresponding to said request using said satellite dish;

storing said encrypted audiovisual data corresponding to said request in said storage device; and

decrypting said encrypted audiovisual data using said decryption key.

10. (Amended) The method of Claim 1, further including informing the user of a planned transmission time for said encrypted audiovisual data corresponding to said request

11. (Amended) The method of Claim 1, wherein said encrypted audiovisual data corresponding to said request has a playing speed, and said transmitting includes transmitting said encrypted audiovisual data at a rate faster than said playing speed

12. (Amended) The method of Claim 1, wherein said encrypted audiovisual data corresponding to said request has a playing speed, and said transmitting includes transmitting said encrypted audiovisual data at a rate slower than said playing speed

27. (Amended) A system for delivery of audiovisual data to a user, including:  
a database having one or more pieces of audiovisual data, each piece of audiovisual data having a title;  
a transmitter coupled to said database;

an operator server coupled to a network and said database, said operator server configured to receive a request for audiovisual data from the user via a network, determine if said title is already in a transmission schedule, add said title to said transmission schedule if it is not already in said transmission schedule, encrypt said audiovisual data corresponding to said request using an encryption algorithm having a corresponding decryption algorithm, generate a decryption key unique to the user using said corresponding decryption algorithm, and forward said decryption key to the user via said network; said database configured to forward said one or more pieces of audiovisual data to said transmitter according to said schedule; and said transmitter designed to transmit encrypted audiovisual data to a satellite for receipt by the user with a satellite dish, wherein the user has a set-top box coupled to said network, and the satellite dish coupled to the set-top box, said satellite dish designed to receive said encrypted audiovisual data corresponding to said request, wherein the set-top box contains a storage device to store encrypted audiovisual data corresponding to said request in said storage device and decrypt said audiovisual data using said decryption key.

32. (Canceled)

34. (Amended) The system of Claim ~~32~~ 27, wherein said set top box is further configured to send a query to said operator server through said network for a list of available titles and said operator server is further configured to compile a list of

available titles by scanning said database and transmit said list of available titles to said set-top-box.

35. (Amended) The system of Claim 32 27, wherein said storage device is a hard disk.

36. (Amended) The system of Claim 27, wherein said operator server is further configured to relate a planned transmission time for said encrypted audiovisual data corresponding to said request to the user through said network.

37. (Amended) The system of Claim 27, wherein said encrypted audiovisual data corresponding to said request has a playing speed, and said operator server is further configured to transmit said encrypted audiovisual data at a rate faster than said playing speed.

38. (Amended) The system of Claim 27, wherein said encrypted audiovisual data corresponding to said request has a playing speed, and said operator server is further configured to transmit said encrypted audiovisual data at a rate slower than said playing speed.

39. (Amended) An apparatus for delivery of audiovisual data to a user, including:

means for receiving a request for audiovisual data from the user via a network,  
said audiovisual data corresponding to said request having a title;

means for determining if said title is already in a transmission schedule;

means for adding said title to said transmission schedule if it is not already in  
said transmission schedule;

means for encrypting said audiovisual data corresponding to said request using  
an encryption algorithm, said encryption algorithm having a corresponding decryption  
algorithm;

means for generating a decryption key unique to the user using said  
corresponding decryption algorithm;

means for forwarding said decryption key to the user via said network; and

means for transmitting said encrypted audiovisual data corresponding to said  
request to a satellite for receipt by the user with a satellite dish, said transmitting  
occurring in accordance with said transmission schedule, wherein the user has a set-top  
box coupled to said network, and the satellite dish coupled to the set-top box, wherein  
the set-top box contains a storage device.

44. (Amended) The apparatus of Claim 39, ~~wherein the user has a set-top box  
coupled to said network, and said satellite dish is coupled to the set-top box, wherein  
the set-top box contains a storage device, and wherein the apparatus further includes:~~

means for receiving the encrypted audiovisual data corresponding to said  
request using said satellite dish;



means for storing said encrypted audiovisual data corresponding to said request in said storage device; and

means for decrypting said encrypted audiovisual data using said decryption key.

48. (Amended) The apparatus of Claim 39, further including means for informing the user of a planned transmission time for said encrypted audiovisual data corresponding to said request.

49. (Amended) The apparatus of Claim 39, wherein said encrypted audiovisual data corresponding to said request has a playing speed, and said operator server is further configured to transmit said encrypted audiovisual data at a rate faster than said playing speed.

50. (Amended) The apparatus of Claim 39, wherein said encrypted audiovisual data corresponding to said request has a playing speed, and said operator server is further configured to transmit said encrypted audiovisual data at a rate slower than said playing speed.

51. (Amended) A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform a method for delivery of audiovisual data to a user, including:

receiving a request for audiovisual data from the user via a network, said audiovisual data corresponding to said request having a title;

determining if said title is already in a transmission schedule;

adding said title to said transmission schedule if it is not already in said transmission schedule;

encrypting said audiovisual data corresponding to said request using an encryption algorithm, said encryption algorithm having a corresponding decryption algorithm;

generating a decryption key unique to the user using said corresponding decryption algorithm;

forwarding said decryption key to the user via said network; and

transmitting said encrypted audiovisual data corresponding to said request to a satellite for receipt by the user with a satellite dish, said transmitting occurring in accordance with said transmission schedule, wherein the user has a set-top box coupled to said network, and the satellite dish coupled to the set-top box, wherein the set-top box contains a storage device.

53. (Amended) A method for delivery of audiovisual data to a user, including:

receiving a request for audiovisual data from the user via a network, said audiovisual data corresponding to said request having a title;

determining if said title is already in a transmission schedule;

adding said title to said transmission schedule if it is not already in said transmission schedule;

encrypting said audiovisual data corresponding to said request using an encryption algorithm, said encryption algorithm having a corresponding decryption algorithm;

generating a decryption key unique to the user using said corresponding decryption algorithm;

forwarding said decryption key to the user via said network; and

transmitting said encrypted audiovisual data corresponding to said request to a satellite for receipt by the user with a satellite dish, said transmitting occurring in accordance with said transmission schedule;

receiving the audiovisual data corresponding to said request using a satellite dish coupled to a set-top box associated with said user, said set-top box coupled to said network and comprising a storage device;

storing said encrypted audiovisual data corresponding to said request in said storage device; and

decrypting said audiovisual data using said decryption key.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on 8:00a.m. To 5:00p.m.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-232-4195. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy

May 06, 2007.

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